

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

FORRESTINE HOLMES

§

VS.

§

CIVIL ACTION NO. 5:09cv63

**COMMISSIONER,
SOCIAL SECURITY ADMINISTRATION §**

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that the Administrative Law Judge's following findings are **AFFIRMED**:

1. Plaintiff met the insured status requirements of the Social Security Act through at least September 30, 2010.
2. From June 1, 2005, through at least June 25, 2008, Plaintiff did not engage in substantial gainful activity.
3. From June 1, 2005, through at least June 25, 2008, Plaintiff's fibromyalgia and osteoarthritis were severe impairments.
4. From June 1, 2005, through at least June 25, 2008, Plaintiff could not

climb ropes, ladders, or scaffolds or work in high humidity, around fumes, or with concentrated vibrations to the body.

The Court further

ORDERS, ADJUDGES, and DECREES that in the above-entitled Social Security action, the determination that Plaintiff was not disabled is **REVERSED** and **REMANDED** for a proper determination of (1) the credibility of Plaintiff and of the medical sources, (2) whether she had additional severe impairments, (3) whether her impairments met or equaled a listed impairment, and (4) whether she retained the residual functional capacity to perform her past relevant work or other work existing in significant numbers in the national economy.

SIGNED this 2nd day of September, 2010.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE